



Portland Parks & Recreation Urban Forestry Programmatic Permit Portland Streetcar Through FY 2017/18

1.0 GOALS:

- 1.1 Protect, preserve, and restore the urban forest (Urban Forest Management Plan (UFMP), 2004).
- 1.2 Promote stewardship of the urban forest (UFMP, 2004).
- 1.3 Prevent cumulative adverse impacts to the urban forest and ensure that there is no reduction in tree canopy coverage over time (Title 11.45).
- 1.4 Support appropriate management of tree resources along Portland Streetcar tracks.
- 1.5 Improve public safety and tree canopy health.

2.0 TERMS AND TIMELINE OF PERMIT:

- 2.1 **Permit duration is from the date of final signature through June 30, 2018.**
The permit must be signed and in effect before tree work is conducted.
- 2.2 Portland Streetcar is the responsible party for all activities in this permit and shall ensure all staff and contractors comply with the terms and conditions of this permit.
- 2.3 This permit applies only to tree management activities not related to site development or development projects. Separate permits are required for tree activities related to development.
- 2.4 This permit is issued under the authority of the City Forester in compliance with the requirements of City of Portland [Title 11 Trees](#).

3.0 SCOPE OF WORK:

Urban Forestry

1900 SW 4th Ave, Suite 5000
Portland, OR 97201
Tel: (503) 823-TREE (8733) Fax: (503) 823-4493

Administration

1120 S.W. 5th Ave., Suite 1302
Portland, OR 97204
Tel: (503) 823-7529 Fax: (503) 823-6007

Portland Trees – www.Portlandoregon.gov/trees - permits, tree removal, report a downed tree.

Sustaining a healthy park and recreation system to make Portland a great place to live, work and play.

PortlandParks.org • Amanda Fritz, Commissioner • Mike Abbaté, Director



3.1 Activities shall prevent cumulative adverse impacts to the urban forest and ensure no net reduction in tree canopy coverage over time.

3.2 Activities shall support the [2004 Urban Forest Management Plan](#).

3.3 Location

All permit activity shall occur in the City right-of-way along the Portland Streetcar tracks, facilities, and structures. See Appendix A.

3.4 Pruning

- a. Portland Streetcar staff and contractors may prune trees according to Portland Streetcar Tree Pruning Protocols (Appendix B).
- b. For trees pruned, no more than 25% of the crown shall be removed within an annual growing season.
- c. Elm pruning requirements
In order to limit the spread of Dutch elm disease and comply with Oregon's state quarantine of elm wood, the following rules apply to the pruning of elm trees (*Ulmus* spp.):
 - i. Elm trees shall not be pruned from April 15 through October 15 annually, except to abate a hazard.
 - ii. Pruning tools shall be treated with disinfectant before and after pruning individual elm trees.
 - iii. All wood waste shall be chipped or taken to an approved commercial disposal site within 24 hours of cutting.

3.5 Removal

- a. A dangerous tree is defined as one where the condition of the tree presents a foreseeable danger of inflicting imminent damage to people or property and cannot be alleviated by treatment or pruning. Removal of a dangerous tree shall be conducted as follows, per Title 11.40.D:
 - i. If an emergency exists because the condition or location of a tree presents such a clear and present danger to a structure or the public that there is insufficient time to obtain advance approval of the City Forester, the hazardous portion of the tree may be removed without first obtaining approval from the City Forester.
 - ii. Within seven days of any tree removal due to an emergency, Portland Streetcar shall provide notification and documentation to the City Forester on the Inspection Request Form (Appendix C) provided by Urban Forestry. Upon submittal to the City Forester, the Inspection Request Form shall accompany photographs or other documentation that prove that an emergency existed. The City Forester will evaluate the information to determine whether an emergency existed. Failure to provide information documenting the emergency nature of the event may be pursued as a violation per Title 11.70.

- b. Portland Streetcar staff may request permission from the City Forester to remove trees due to advanced age, disease, or potential hazard to the public or to streetcar track infrastructure. Removal shall be requested at least 4 weeks in advance of the anticipated removal timeframe. The City Forester may approve or deny the removal request or set conditions on the timing of removal.
- c. Mitigation
 - i. Removed trees shall be compensated by planting trees one-for-one within the timeframe of the permit. Trees shall be replaced close to where they were removed when feasible. Mitigation trees shall be planted by the next planting season (October to April) immediately following removal.
 - ii. Trees planted for mitigation shall be monitored and guaranteed for three years and replaced in kind if they die within this timeframe.
 - iii. Mitigation unable to be met by tree planting shall be paid into the Tree Planting and Preservation Fund at a rate identified in Title 11, Trees Fee Schedule for Fee in Lieu of Planting and Establishment. Mitigation payment shall be made annually, at the time Portland Streetcar submits its annual report (see Reporting 5.1).
- d. Reporting
 - i. The number, species, and DBH of trees removed shall be reported (see 5.1), as well as the condition of the trees, reason for removal, and type of mitigation.
 - ii. The amount of money paid to the Tree Planting and Preservation Fund shall be reported.
 - iii. The number, species, and size of tree stock planted as mitigation shall be reported.

3.6 Planting

- a. Planting activities shall adhere to American National Standards Institute (ANSI) A300 *Planting and Transplanting Standards* and International Society of Arboriculture *Best Management Practices: Tree Planting*.
- b. The locations of trees planted in the City right-of-way (i.e. street trees) and on City property shall be approved by the City Forester.
- c. Street trees (trees in the City right-of-way) selected for planting shall be selected from the City's Approved Street Tree Planting Lists (www.portlandoregon.gov/trees/plantinglists) or approved by the City Forester. Species selected for planting on City property shall be approved by the City Forester.
 - i. Species diversity requirements

- a. When planting fewer than 8 trees per calendar year, they may all be the same species.
- b. When planting between 8 and 24 trees per calendar year, no more than 40 percent of the total planted shall be of one species.
- c. When planting more than 24 trees per calendar year, no more than 20 percent of the total planted shall be of one species.
- d. Trees shall meet minimum size requirements as defined in Table 60-1 in Title 11, Trees, for broadleaf trees or at least 5 feet in height for coniferous trees at the time of planting.
- e. Plantings shall be monitored for three years for establishment and replaced in kind if they fail within this timeframe.
- f. The number, species, stock size, and location of trees planted shall be reported (see 5.1).

4.0 COMMUNICATION:

4.1 Portland Streetcar shall maintain accurate permit contact information with Urban Forestry.

4.2 **Portland Streetcar contact and representative**

Jesse D. Culver, Portland Streetcar Maintenance Supervisor
 Mailing address: 1516 NW Northrup St., Portland, OR 97209
 Phone: 503-823-2403
 Email: Jesse.Culver@portlandoregon.gov

4.3 **Portland Parks & Recreation Urban Forestry contact**

Luke Miller, Tree Inspector
 Mailing address: 1900 SW 4th Ave. Suite 5000, Portland, OR 97201
 Phone: (503) 823-4025
 Email: Luke.Miller@portlandoregon.gov

5.0 QUALITY CONTROL AND REPORTING:

5.1 **Reporting**

Qualitative and quantitative activities reports shall be sent to Urban Forestry once per fiscal year for the duration of the permit on forms provided by Urban Forestry (see Appendix D and Appendix E). Completed forms shall be received no later than one month after the reporting period.

a. Reporting periods:

Date of permit issuance – June 30, 2017 report due by: August 1, 2017
 July 1, 2017 – June 30, 2018 report due by: August 1, 2018

5.2 **Inspections**

Urban Forestry may inspect the trees to determine compliance with the conditions of the permit.

5.3 Compliance

It is the permit holder's responsibility to adhere to the terms of the permit. If the terms of the permit are not met, the permit holder shall be notified of the violation in writing and informed of the actions necessary to correct the violation(s). If the corrective actions are not undertaken within the specified timeframe, Urban Forestry may impose any or all of the following actions until the violation is corrected:

- Temporary stop work order
- Revocation of the Programmatic Permit
- Denial of future Programmatic Permits
- Additional conditions imposed upon the activities permitted by the Programmatic Permit
- Enforcement penalties
- Civil penalties up to \$1000 per tree per day of violation
- Restoration fees imposed for trees found in violation.

a. Fees shall follow the adopted Title 11 fee schedule at www.portlandoregon.gov/trees/fees.

5.4 Revisions

Urban Forestry may modify the specifications of the permit in order to respond to concerns, changes in regulations, or previously unforeseen issues. The permittee shall be notified at least 3 weeks in advance in writing of the intent to modify the permit and shall be provided an opportunity to comment on the proposed changes. The permittee shall also have an opportunity to appeal the permit if changes are made. Changes shall not go into effect until the permit is updated in writing.

6.0 INDEMNITY:

Portland Streetcar shall hold harmless, defend, and indemnify the City of Portland, and the City's officers, agents, and employees against all claims, demands, actions, and suits (including all attorney's fees and cost, through trial and on appeal) brought against any of them arising from activities under this permit.

7.0 RESOURCES:

ANSI A300 (Part 1)-2008 Pruning: Tree Care Operations: Tree, Shrub, and Other Woody Plant Management: Standard Practices (Pruning). Revision of ANSI A300 (Part 1)-2001. 2008. American National Standards Institute, Washington, DC.

ANSI A300 (Part 6)-2012: Tree Care Operations: Tree, Shrub, and Other Woody Plant Management: Standard Practices (Planting and Transplanting). Revision of ANSI A300 (Part 6)-2005. 2012. American National Standards Institute, Washington, DC.

Gilman, Edward and Sharon Lilly. *Best Management Practices: Tree Pruning, Second Edition*. 2008. International Society of Arboriculture, Champaign, IL.

Street Tree Pruning Standards. 2014. City of Portland, Portland Parks & Recreation Urban Forestry, Portland, OR.

Watson, Gary. *Best Management Practices: Tree Planting, Second Edition*. 2014. International Society of Arboriculture, Champaign, IL.

8.0 APPENDICES:

Appendix A – Portland Streetcar permit map

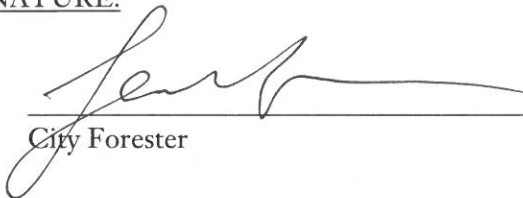
Appendix B – Portland Streetcar Tree Pruning Protocols

Appendix C – Inspection Request Form

Appendix D – Portland Streetcar Qualitative reporting template

Appendix E – Portland Streetcar Quantitative reporting template

9.0 SIGNATURE:

By:  _____ Date: 11/10/16

City Forester